

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRIAN L. PATRICK,)	CASE NO. 4:06CV639
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
DAVID BOBBY, <i>et al.</i>,)	ORDER
)	
DEFENDANT.)	
)	

On May 23, 2006, this Court issued an order assigning this case to Magistrate Judge George J. Limbert for general pre-trial supervision. (Dkt. # 8). Defendant Chris Caja (“Defendant”) filed a motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure on June 23, 2006. (Dkt. # 10). Plaintiff Brian L. Patrick (“Plaintiff”) filed a *pro se* brief in opposition to Defendant’s motion. (Dkt. # 11). On August 17, 2006, Magistrate Judge Limbert issued an Interim Report and Recommendation recommending that the Court deny Defendant’s motion to dismiss. (Dkt. # 14).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Defendant has failed to timely file any such objections. Therefore, the Court must assume that Defendant is satisfied with the Magistrate Judge’s recommendation. Any further review by this Court would be a

duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Interim Report and Recommendation of Magistrate Judge Limbert (Dkt. # 14) is hereby **ADOPTED**. Defendant's motion to dismiss Plaintiff's Amended Complaint (Dkt. # 10) is **DENIED**.

IT IS SO ORDERED.

/s/ Peter C. Economus - September 7, 2006
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE